

**ENROLLED MINUTES OF THE  
HIGHLAND WATERWORKS BOARD OF DIRECTORS  
APRIL 26, 2018**

Study Session. The Highland Water Works Board of Directors convened in study session immediately before the Regular Meeting at 6:30 p.m. on Thursday April 26, 2018 in the lower meeting chambers of the Highland Municipal Building, 3333 Ridge Road, Highland Indiana, in order to discuss the final agenda of the regular meeting.

**ROLL CALL:** Present on silent roll call were President, George Georgeff, Directors George A. Smith, Ed Dabrowski, and Larry Kondrat. Also present were Derek Snyder, NIES Engineering Inc.; John Bach, Public Works Director; Mark Knesek, Operations Director; Rhett Tauber, Board Attorney; Michael Griffin, Clerk Treasurer; and Kim Webb, serving as Recording Secretary, *Pro Tempore*.

1. Mr. Bach discussed Phases of the 45<sup>th</sup> Avenue Water Main Replacement Project.
2. The Board discussed the replacement of the Recording Secretary by Mrs. Webb.
3. The Board discussed the Financial Statement with Michael Griffin, Clerk Treasurer.
4. The Board discussed the agenda items.
5. Mr. Bach discussed a resident at 3416 Martha St that had a sewer problem and attempted to do the repairs on his own. Public works ended up completing the repairs of the Water and Sewer lines that were damaged. The resident was billed for the repairs of the Water and Sewer lines. There will also be some restoration cost that will be incurred and payable by the resident.

The Highland Water Works Board of Directors met in its Regular Session on Thursday, April 26, 2018 at 7:00 p.m. in the lower meeting chambers of the Highland Municipal Building, 3333 Ridge Road, Highland Indiana. Director Smith opened the meeting. The minutes were recorded by Kim Webb, Recording Secretary, *Pro Tempore*. The session was opened with the Pledge of Allegiance.

**ROLL CALL:** Present on roll call were Directors George A. Smith, George Georgeff, Larry Kondrat, and Ed Dabrowski. Absent: None. Also present were Derek Snyder, NIES Engineering Inc.; John Bach, Public Works Director; Mark Knesek, Operations Director; and Rhett Tauber, Board Attorney.

**MINUTES:** President Georgeff asked if there were any corrections to the Minutes of the Regular Meeting of March 22, 2018 as prepared and posted. Director Smith moved to approve the minutes of the Regular Meeting on March 22, 2018. Director Dabrowski seconded. On a vote *viva voce*, the motion passed.

**Special Orders:** None

**Communications:**

1. A letter dated April 24, 2018 from Derek R. Snyder, P.E., NIES Engineering, Inc. Re: Proposal for Professional Engineering, Services During Construction; 45<sup>th</sup> Avenue Water Main Replacement Project – 98<sup>th</sup> Street to 45<sup>th</sup> Street in the amount not-to-exceed \$27,000.00. Matter to be considered under General Orders.

2. A letter dated April 24, 2018 from Derek R. Snyder, P.E., NIES Engineering, Inc. Re: Proposal for Professional Engineering, Services During Construction; Wicker Park Manor Water Main and Street Improvement Project; Wicker Park Drive, Walnut Drive, and Robertson Place in the amount not to exceed \$50,400. Matter to be considered under General Orders.

3. A letter dated April 26, 2018 from Derek R. Snyder, NIES Engineering, Inc. Re: Bid Award Recommendation 45<sup>th</sup> Avenue and 5<sup>th</sup> Street Water Main Replacement Project – Phase 2. Matter to be considered under General Orders.

4. A letter date April 26, 2018 from Derek R. Snyder, NIES Engineering, Inc. Re: Bid Award Recommendation Wicker Park Manor Water Main and Street Improvement Project. Matter to be considered under General Orders.

**Unfinished Business and General Orders:**

1. Highland Waterworks  
Board of Directors  
Resolution No. 2018-04

A Resolution Accepting and Approving an Agreement between NIES Engineering, Incorporated and the Waterworks District of Highland to perform Professional Engineering Services during Construction for the 45<sup>th</sup> Avenue/5<sup>th</sup> Street Water Main Replacement Project in the amount not-to-exceed \$27,000. Director Ed Dabrowski moved to approve Resolution No. 2018-04. Director Larry Kondrat seconded. Upon a roll call vote, there were four (4) affirmations and no negatives. The motion passed.

**WATER WORKS DISTRICT OF HIGHLAND  
Board of Directors  
Resolution No. 2018-04**

**A RESOLUTION ACCEPTING AND APPROVING AN AGREEMENT BETWEEN NIES ENGINEERING, INCORPORATED AND THE WATERWORKS DISTRICT OF HIGHLAND TO PERFORM PROFESSIONAL ENGINEERING SERVICES DURING CONSTRUCTION FOR THE 45<sup>TH</sup> AVENUE/5<sup>TH</sup> STREET WATER MAIN REPLACEMENT PROJECT IN THE AMOUNT NOT-TO-EXCEED \$27,000**

**Whereas**, the Waterworks District of Highland (District) is governed by its Board of Waterworks Directors, pursuant to the provisions of IC 8-1.5-4 et seq.; and

**Whereas**, IC 8-1.5-4-4 specifically provides that the Board of Directors shall manage and control all works of the waterworks and may purchase, acquire, construct, reconstruct, operate, repair and maintain all water works; and

**Whereas**, The Town of Highland, Board of Works, had determined to make certain improvements to the intersection of 45<sup>th</sup> Avenue and 5<sup>th</sup> Street and has implemented the 45<sup>th</sup> Avenue and 5<sup>th</sup> Street Intersection Project (Project); and

**Whereas**, the District had heretofore determined a need to replace the existing water main on 5<sup>th</sup> Street from approximately 100 feet north of 45<sup>th</sup> Avenue to 98<sup>th</sup> Street and on 45<sup>th</sup> Avenue from approximately 250 feet west of 5<sup>th</sup> Street to approximately 250 feet east of 5<sup>th</sup> Street, due to its condition, in conjunction with the intersection improvement project and had engaged NIES Engineering, Incorporated to prepare plans and specifications for the water works improvements; and

**Whereas**, Due to the construction schedule for the intersection Project, the District found it necessary to construct the water works improvements in two phases with the work to be completed

within the limits of the intersection project to be in the first phase and that those water works improvements outside the limits of the project to be included in phase 2; and

**Whereas**, Phase 1 of the water works improvements would be constructed in advance or concurrently with the intersection project in order to have those improvements completed before final paving of the intersection and minimize delay in the construction thereof; and Phase 2 of the water works improvements may be delayed, if necessary, and constructed after the completion of the intersection improvement project; and

**Whereas**, NIES Engineering, Inc. has presented an Engineering Proposal for Professional Engineering Services during Construction, attached hereto and made a part of this resolution, for both Phase 1 and Phase 2 of the **45<sup>TH</sup> AVENUE AND 5<sup>TH</sup> STREET WATER MAIN REPLACEMENT PROJECT** for a not-to-exceed fee of Twenty-seven Thousand Dollars and no cents (\$27,000.00); and

**Whereas**, There are sufficient and available appropriations balances on hand to support the payments under the agreement, pursuant to IC 5-22-17-3(e); and

**Whereas**, The Water Works District of Highland, through its Board of Directors, now desires to accept and approve the agreement for services as herein described.

**Now, Therefore Be it Resolved** by the Board of Directors of the Highland Waterworks, Lake County, Indiana, as follows:

**Section 1.** That the Agreement (incorporated by reference and made a part of this resolution) between NIES Engineering, Incorporated, and the Waterworks District of Highland for **45<sup>TH</sup> AVENUE AND 5<sup>TH</sup> STREET WATER MAIN REPLACEMENT PROJECT** is hereby approved, adopted and ratified in each and every respect;

**Section 2.** That the terms and charges under the agreement, in the amount not-to-exceed fee of Twenty-seven Thousand Dollars and no cents (\$27,000.00) for professional engineering services during construction are found to be reasonable and fair;

**Section 3.** That the Water Works District of Highland, through its Board of Directors, believes that NIES Engineering, Incorporated has demonstrated professional competence and qualifications to perform the particular professional engineering services called for in the Agreement and associated project, pursuant to I.C. 5-16-11.1-5;

**Section 4.** That the President of the Water Works District of Highland be authorized to execute the Addendum to the Agreement with his signature as attested thereto by Secretary of the Water Works District of Highland.

**Duly Adopted**, Resolved and Ordered by the Waterworks Board of Directors of Highland, Lake County, Indiana, this 26<sup>th</sup> day of April, 2018. Having been passed by a vote of 4 in favor and 0 opposed.

**HIGHLAND WATERWORKS  
BY ITS BOARD OF DIRECTORS:**

/s/George Georgeff, President

Attest:

/s/George A. Smith, Secretary

2. Highland Waterworks  
Board of Directors  
Resolution No. 2018-05

A Joint Resolution of the Board of Works; the Water Works board of Directors, and Sanitary District

Board of Commissioners Accepting and Approving a Proposal from NIES Engineering, Inc. for Professional Engineering Services during Construction for the Wicker Park Drive/Walnut Avenue/Robertson Place Water Main and Street Improvement Project in the Total Amount of \$72,000 (Waterworks District allocation is \$50,400) Director Ed Dabrowski moved to approve Resolution No. 2018-05. Director George Smith seconded. Upon a roll call vote, there were four (4) affirmations and no negatives. The motion passed.

**TOWN OF HIGHLAND  
BOARD OF WORKS  
ORDER OF THE WORKS BOARD No. 2018-19**

**WATERWORKS DISTRICT OF HIGHLAND  
BOARD OF WATERWORKS DIRECTORS  
RESOLUTION No. 2018-05**

**SANITARY DISTRICT OF HIGHLAND  
BOARD OF WATERWORKS DIRECTORS  
RESOLUTION No. 2018-09**

**A JOINT RESOLUTION OF THE BOARD OF WORKS; THE WATER WORKS BOARD OF DIRECTORS, AND SANITARY DISTRICT BOARD OF COMMISSIONERS ACCEPTING AND APPROVING A PROPOSAL FROM NIES ENGINEERING, INC. FOR PROFESSIONAL ENGINEERING SERVICES DURING CONSTRUCTION FOR THE WICKER PARK DRIVE/WALNUT AVENUE/ROBERTSON PLACE WATER MAIN AND STREET IMPROVEMENT PROJECT IN THE TOTAL AMOUNT OF \$72,000**

**Whereas**, The Town of Highland, through its Town Council, which is the Works Board of the Municipality pursuant to I.C. 36-1-2-24(3), has determined that a need exists make certain public improvements and repairs to roadway infrastructure on Wicker Park Drive between 81<sup>st</sup> Street and River Drive; on Walnut Drive between Wicker Park Drive and Robertson Place; and on Robertson Place between 81<sup>st</sup> Street and Walnut Drive, including the replacement of defective curb and sidewalk, pavement, and tree removal and replacement and have hereto approved a project to be described as the Wicker Park Manor Improvement Project (Project); and

**Whereas**, The Town of Highland has procured a Community Development Block Grant, from the U.S. Department of Housing and Urban Development through an application filing with the Lake County Community Development Department in the amount of \$ 119,653.63, which will offset the costs for the roadway improvements described herein; and

**Whereas**, the Waterworks District of Highland ( WW District) is governed by its Board of Waterworks Directors, pursuant to the provisions of IC 8-1.5-4 et seq.; and

**Whereas**, IC 8-1.5-4-4 specifically provides that the Board of Water Works Directors shall manage and control all works of the waterworks and may purchase, acquire, construct, reconstruct, operate, repair and maintain all water works; and

**Whereas**, The WW District, through its Board of Directors, has determine the need to replace and upsize the existing water lines within the Project boundaries, as described herein, in order to improve water flow and water quality; has determined that it would be in the best interest of the utility to coordinate the work with the Project; and have agreed to fund its share of the construction costs and engineering services necessary to complete the work; and

**Whereas**, The Sanitary District of Highland (SD District) is governed by its Board of Sanitary Commissioners, pursuant to the provisions of IC 36-9-25 et seq.; and

**Whereas**, IC 36-9-25-9 specifically provides that the Board of Sanitary Commissioners shall manage and control all works of the district and may purchase, acquire, construct, reconstruct, operate, repair and maintain all sewage works; and

**Whereas**, The Project scope includes the repair and replacement of certain storm water and sanitary system facilities, which are the responsibility of SD District and have agreed to fund its share of the construction costs and engineering services necessary to complete the work; and

**Whereas,** The Works Board, Waterworks District Board of Directors, and Sanitary Board of Commissioners has heretofore determined a need to engage the professional engineering services during construction in order to implement the Project, and

**Whereas,** NIES Engineering, Incorporated, (Consultant) has offered and presented an agreement to provide and furnish Professional Engineering Design Services in consideration for fees to be charged and billed monthly based upon a lump sum of the value of the services completed, in an amount not to exceed Seventy-two Thousand Dollars (\$72,000.00) allocated in proportional shares equivalent to the percentage of construction work being completed for each agency; and

**Whereas,** The Town of Highland, through its Board of Works, now desires to accept and approve the agreement for services as herein described; and

**Whereas,** The Water Works District of Highland, through its Board of Directors, now desires to accept and approve the agreement for services as herein described; and

**Whereas,** The Sanitary District of Highland, through its Board of Commissioners, now desires to accept and approve the agreement for services as herein described; and

**Whereas,** There are sufficient and available appropriation balances on hand to support the payments under the agreement, pursuant to IC 5-22-17-3(e); and

**Now, Therefore Be it Resolved** by the Board of Works for the Town of Highland; Board of Directors of the Highland Waterworks, and the Sanitary Board of Commissioners of the Highland Sanitary District; Lake County, Indiana and, as follows:

1. That the Professional Engineering Services during Construction Proposal (incorporated by reference and made a part of this resolution) from NIES Engineering, Incorporated for the Wicker Park Drive/Walnut Avenue/Robertson Place Water Main And Street Improvement Project is hereby approved, adopted and ratified in each and every respect;

2. That the terms and charges under the agreement for construction engineering services in the not-to-exceed amount of Seventy-two Thousand Dollars (\$72,000.00) allocated in the amount as follows:

- a. Eighteen Thousand Dollars and no Cents (\$18,000.00) to the Highland Board of Works is found to be reasonable and fair;
- b. Fifty Thousand Four Hundred Dollars and no Cents (\$50,400.00) to the Waterworks District of Highland is found to be reasonable and fair;
- c. Three Thousand Six Hundred Dollars and no Cents (\$3,600.00) to the Sanitary District of Highland is found to be reasonable and fair

3. That the Water Works District of Highland, through its Board of Directors and Town Council, which is the Works Board of the municipality; and the Sanitary District of Highland believes that NIES Engineering, Incorporated has demonstrated professional competence and qualifications to perform the particular professional engineering services called for in the Agreement and associated project, pursuant to I.C. 5-16-11.1-5;

4. That the Water Works District Superintendent/Public Works Director/Sanitary District Superintendent is authorized to execute the agreement and all documents necessary to implement the Project.

**Duly Adopted, Resolved and Ordered** by the Highland Town Council, Lake County, Indiana, this 14<sup>th</sup> day of May, 2018. Having been passed by a vote of \_\_\_ in favor and \_\_\_ opposed.

**BOARD OF WORKS OF THE TOWN OF  
HIGHLAND, INDIANA**

\_\_\_\_\_  
Mark Herak (IC 36-5-2-10)

Attest:

\_\_\_\_\_  
Michael W. Griffin, Clerk-Treasurer (IC 33-16-4-1;IC 36-5-6-5)

**Duly Adopted, Resolved and Ordered** by the Waterworks Board of Directors of Highland, Lake County, Indiana, this 26<sup>th</sup> day of April, 2018. Having been passed by a vote of 4 in favor and 0 opposed.

**HIGHLAND WATERWORKS  
By Its Board of Directors:**

/s/George Georgeff, President

Attest:

/s/George A. Smith, Secretary

**Duly Adopted, Resolved and Ordered** by the Highland Sanitary District, Board of Commissioners, Lake County, Indiana, this 15<sup>th</sup> day of May 2018. Having been passed by a vote of \_\_\_ in favor and \_\_\_ opposed.

**HIGHLAND SANITARY DISTRICT  
By Its Board of Commissioners:**

\_\_\_\_\_  
Richard Garcia, President

Attest:

\_\_\_\_\_  
David Jones, Secretary

3. Highland Waterworks  
Board of Directors  
Resolution No. 2018-06

A Joint Resolution of the Board of Works, the Water Works Board of Directors, and the Sanitary Board of Commissioners Awarding a Bid to Rex Construction Company, Incorporated for the Wicker Park Manor Street Improvement and Water Main Replacement Project in the amount of \$749,794.00 as the Lowest Responsive and Responsible Bid. Director Kondrat made a motion to approve. Director Smith seconded. Upon a roll call vote, there were three (3) affirmations, no negatives, and one (1) abstention by Director Dabrowski. The motion passed.

**TOWN OF HIGHLAND  
BOARD OF WORKS  
ORDER OF THE WORKS BOARD No. 2018-20**

**WATERWORKS DISTRICT OF HIGHLAND  
BOARD OF WATERWORKS DIRECTORS  
RESOLUTION No. 2018-06**

**SANITARY DISTRICT OF HIGHLAND  
BOARD OF SANITARY COMMISSIONERS  
RESOLUTION No. 2018-10**

**A JOINT RESOLUTION OF THE BOARD OF WORKS, THE WATER WORKS BOARD OF DIRECTORS, AND THE SANITARY BOARD OF COMMISSIONERS AWARING A BID TO REX CONSTRUCTION COMPANY, INCORPORATED FOR THE WICKER PARK MANOR STREET IMPROVEMENT AND WATER MAIN REPLACEMENT PROJECT IN THE TOTAL AMOUNT OF \$749,794.00 AS THE LOWEST RESPONSIVE AND RESPONSIBLE BID**

**Whereas**, The Town of Highland, through its Town Council, which is the Works Board of the Municipality pursuant to I.C. 36-1-2-24(3), has determined that a need exists make certain public

improvements and repairs to roadway infrastructure on Wicker Park Drive between 81<sup>st</sup> Street and River Drive; on Walnut Drive between Wicker Park Drive and Robertson Place; and on Robertson Place between 81<sup>st</sup> Street and Walnut Drive, including the replacement of defective curb and sidewalk, pavement, and tree removal and replacement and have hereto approved a project to be described as the Wicker Park Manor Improvement Project (Project); and

**Whereas**, The Town of Highland has procured a Community Development Block Grant, from the U.S. Department of Housing and Urban Development through an application filing with the Lake County Community Development Department in the amount of \$ 119,653.63, which will offset the costs for the roadway improvements described herein; and

**Whereas**, the Waterworks District of Highland ( WW District) is governed by its Board of Waterworks Directors, pursuant to the provisions of IC 8-1.5-4 et seq.; and

**Whereas**, IC 8-1.5-4-4 specifically provides that the Board of Water Works Directors shall manage and control all works of the waterworks and may purchase, acquire, construct, reconstruct, operate, repair and maintain all water works; and

**Whereas**, The WW District, through its Board of Directors, has determine the need to replace and upsize the existing water lines within the Project boundaries, as described herein, in order to improve water flow and water quality; has determined that it would be in the best interest of the utility to coordinate the work with the Project; and have agreed to fund its share of the construction costs and engineering services necessary to complete the work; and

**Whereas**, The Sanitary District of Highland (SD District) is governed by its Board of Sanitary Commissioners, pursuant to the provisions of IC 36-9-25 et seq.; and

**Whereas**, IC 36-9-25-9 specifically provides that the Board of Sanitary Commissioners shall manage and control all works of the district and may purchase, acquire, construct, reconstruct, operate, repair and maintain all sewage works; and

**Whereas**, The Project scope includes the repair and replacement of certain storm water and sanitary system facilities, which are the responsibility of SD District and have agreed to fund its share of the construction costs and engineering services necessary to complete the work; and

**Whereas**, NIES Engineering, Inc. had prepared plans and specifications for the Project on behalf of the Board of Works and Water Works District and the Project was bid in accordance with IC 36-1-12 et seq.; and notice was published in accordance with IC 5-3-1; and

**Whereas**, the following bids were received at 10:00 a.m. on April 26, 2018:

|                                 |              |
|---------------------------------|--------------|
| Rex Construction Co., Inc.      | \$749,794.00 |
| Dyer Construction Co., Inc.     | \$824,421.24 |
| deBoer Egolf Corporation        | \$817,747.00 |
| Grimmer Construction, Inc.      | \$831,119.60 |
| Gatlin Plumbing & Heating, Inc. | \$900,000.00 |

**Engineer's Estimate** **\$845,775.00**

**Whereas**, NIES Engineering, Inc. has reviewed the bids and determined that the bid of Rex Construction Co., Inc. in the amount of Seven Hundred Forty-nine Thousand Seven Hundred Ninety-four Dollars and 00/100 (\$749,794.00 to be the lowest responsive and responsible bid.

**Whereas**, there are sufficient and available appropriations balances on hand to support the payments under the agreement, pursuant to IC 5-22-17-3(e); and

**Whereas**, The Town of Highland, through its Board of Works, now desires to accept the recommendation of the Public Works Director and award a construction contract to Rex Construction Co., Incorporated for the Wicker Park Manor Street Improvement and Water Main Replacement Project, the CDBG Project for FY 2017, in the amount of \$230,429.50 for street and right-of-way improvements; and

**Whereas**, The Water Works District of Highland, through its Board of Directors, now desires to accept the recommendation of the Water Works Superintendent and Water Works Engineer and award

the bid for Wicker Park Manor Street Improvement and Water Main Replacement Project to Rex Construction Co., Incorporated in the amount of \$466,584.50 for water works improvements; and

**Whereas,** The Sanitary District of Highland, through its Board of Commissioners, now desires to accept the recommendation of the Sanitary District Superintendent and Sanitary District Engineer and award the bid for Wicker Park Manor Street Improvement and Water Main Replacement Project to Rex Construction Co., Incorporated in the amount of \$52,780.00 for sewage works improvements.

**Now, Therefore Be it Resolved** by the Board of Directors of the Highland Waterworks, Lake County, Indiana, the Board of Works for the Town of Highland and the Board of Commissioners of the Highland Sanitary District as follows:

1. That the Bid of Rex Construction Co., Incorporated in the amount of Seven Hundred Forty-nine Thousand Seven Hundred Ninety-four Dollars and 00/100 (\$749,794.00 for the Wicker Park Manor Street Improvement and Water Main Replacement Project is hereby accepted as the lowest responsive and responsible bid.

2. That the Town of Highland, through its Board of Works, acknowledges and approves its share of the work in the amount of Two Hundred Thirty Thousand Four Hundred Twenty-nine Dollars and 50/100 Cents (\$230,429.50);

3. That the Waterworks District of Highland, through its Board of Directors, acknowledges and approves its share of the work for Wicker Park Manor Street Improvement and Water Main Replacement Project in the amount of Four Hundred Sixty-six Thousand, Five Hundred Eighty-four Dollars and 50/100 Cents (\$466,584.50);

4. That the Sanitary District of Highland, through its Board of Commissioners, acknowledges and approves its share of the work for Wicker Park Manor Street Improvement and Water Main Replacement Project in the amount of Fifty-two Thousand, Seven Hundred Eighty Dollars and 00/100 Cents (\$52,780.00)

5. That the Water Works District Superintendent/Sanitary District Superintendent/Public Works Director is authorized to execute the agreement and all documents necessary to implement the Project.

**Duly Adopted,** Resolved and Ordered by the Highland Town Council, Lake County, Indiana, this 14<sup>th</sup> day of May, 2018. Having been passed by a vote of \_\_\_\_\_ in favor and \_\_\_\_\_ opposed.

**BOARD OF WORKS OF THE TOWN OF  
HIGHLAND, INDIANA**

\_\_\_\_\_  
**Mark Herak (IC 36-5-2-10)**

Attest:

\_\_\_\_\_  
**Michael W. Griffin, Clerk-Treasurer (IC 33-16-4-1;IC 36-5-6-5)**

**Duly Adopted, Resolved and Ordered** by the Waterworks Board of Directors of Highland, Lake County, Indiana, this 26<sup>nd</sup> day of April, 2018. Having been passed by a vote of 3 in favor 0 opposed and 1 abstention.

**HIGHLAND WATERWORKS  
By Its Board of Directors:**

/s/George Georgeff, President

Attest:

/s/George A. Smith, Secretary

**Duly Adopted**, Resolved and Ordered by the Highland Sanitary District, Board of Commissioners, Lake County, Indiana, this 15<sup>th</sup> day of May 2018. Having been passed by a vote of \_\_\_\_\_ in favor and \_\_\_\_\_ opposed.

**HIGHLAND SANITARY DISTRICT  
By Its Board of Commissioners:**

\_\_\_\_\_  
Richard Garcia, President

Attest:

\_\_\_\_\_  
David Jones, Secretary

4. Highland Waterworks  
Board of Directors  
Resolution No. 2018-07

A Resolution Declaring an Emergency, Accepting a Proposal and awarding a Construction Contract to Gough Construction, Incorporated for the 45<sup>th</sup> Avenue and 5<sup>th</sup> Street Water Main Replacement Project Phase 1 in the amount of \$161,950.00. Director Dabrowski made a motion to approve. Director Smith seconded. Upon a roll call vote, there were four (4) affirmations and no negatives. The motion passed.

**WATER WORKS DISTRICT OF HIGHLAND  
BOARD OF DIRECTORS  
RESOLUTION No. 2018-07**

**A RESOLUTION DECLARING AN EMERGENCY, ACCEPTING A PROPOSAL AND AWARDING A CONSTRUCTION CONTRACT TO GOUGH CONSTRUCTION, INCORPORATED FOR THE 45<sup>TH</sup> AVENUE AND 5<sup>TH</sup> STREET WATER MAIN REPLACEMENT PROJECT – PHASE 1 IN THE AMOUNT OF \$116,838**

**Whereas**, the Waterworks District of Highland (District) is governed by its Board of Waterworks Directors, pursuant to the provisions of IC 8-1.5-4 et seq.; and

**Whereas**, IC 8-1.5-4-4 specifically provides that the Board of Directors shall manage and control all works of the waterworks and may purchase, acquire, construct, reconstruct, operate, repair and maintain all water works; and

**Whereas**, The Town of Highland, Board of Works, had determined to make certain improvements to the intersection of 45<sup>th</sup> Avenue and 5<sup>th</sup> Street and has implemented the 45<sup>th</sup> Avenue and 5<sup>th</sup> Street Intersection Project (Project); and

**Whereas**, the District had heretofore determined a need to replace the existing water main on 5<sup>th</sup> Street from approximately 100 feet north of 45<sup>th</sup> Avenue to 98<sup>th</sup> Street and on 45<sup>th</sup> Avenue from approximately 250 feet west of 5<sup>th</sup> Street to approximately 250 feet east of 5<sup>th</sup> Street, due to its condition, in conjunction with the intersection improvement project and had engaged NIES Engineering, Incorporated to prepare plans and specifications for the water works improvements; and

**Whereas**, Due to the construction schedule for the intersection Project, the District found it necessary to construct the water works improvements in two phases with the work to be completed within the limits of the intersection project to be in the first phase and that those water works improvements outside the limits of the project to be included in phase 2; and

**Whereas**, Phase 1 of the water works improvements would be constructed in advance or concurrently with the intersection project in order to have those improvements completed before final paving of the intersection and minimize delay in the construction thereof; and Phase 2 of the water

works improvements may be delayed, if necessary, and constructed after the completion of the intersection improvement project; and

**Whereas,** The intersection Project has been awarded to Walsh & Kelly, Incorporated by the Indiana Department of Transportation as a Federal-Aid construction project and Gough, Incorporated is a subcontractor to Walsh & Kelly, Incorporated for the underground improvements; and

**Whereas,** In order to efficiently coordinate underground utility work of the district with the underground utility work for the intersection Project, the District believes that engaging Gough, Incorporated to perform the water main replacement work in Phase 1 of the water main replacement project will result in a substantial savings and is in the best interest of the District; and

**Whereas,** Pursuant to §3.05.065 of the Highland Municipal Code, the District has determined to invoke the Special Purchasing provisions to allow for the purchase of services without soliciting bids or proposals; and

**Whereas,** Gough, Inc. has presented a Proposal for the construction of water main improvements for Phase 1 of the 45<sup>th</sup> Avenue and 5<sup>th</sup> Street Water Main Replacement Project for the amount of One Hundred Sixteen Thousand Eight Hundred Thirty-eighty Dollars and no Cents (\$116,838.00), which is less than the engineer's estimate for the work; and.

**Whereas,** There are sufficient and available appropriations balances on hand to support the payments under the agreement, pursuant to IC 5-22-17-3(e); and

**Whereas,** The Water Works District of Highland, through its Board of Directors, now desires to accept and approve the agreement for services as herein described.

**Now, Therefore Be it Resolved** by the Board of Directors of the Highland Waterworks, Lake County, Indiana, as follows:

**Section 1** That the Board hereby determines to make a special purchase, pursuant to §3.05.065 (F) of the Highland Municipal Code, because of the unique opportunity to obtain services by engaging the excavating contractor for the 45<sup>th</sup> Avenue and 5<sup>th</sup> Street Intersection Project and performing the water main replacement concurrently with the roadway project;

**Section 2.** That the Proposal (incorporated by reference and made a part of this resolution) between Gough, Incorporated, and the Waterworks District of Highland for **45<sup>th</sup> AVENUE AND 5<sup>th</sup> STREET WATER MAIN REPLACEMENT PROJECT** in the amount of One Hundred Sixteen Thousand Eight Hundred Thirty-eighty Dollars and no Cents (\$116,838.00) is hereby approved, adopted and ratified in each and every respect;

**Section 3.** That the Water Works District Superintendent is authorized to execute the agreement and all documents necessary to implement the Project.

**Duly Adopted,** Resolved and Ordered by the Waterworks Board of Directors of Highland, Lake County, Indiana, this 26<sup>th</sup> day of April, 2018. Having been passed by a vote of 4 in favor and 0 opposed.

**HIGHLAND WATERWORKS  
BY ITS BOARD OF DIRECTORS:**

/s/George Georgeff, President

Attest:

/s/George A. Smith, Secretary

5. Highland Waterworks  
Board of Directors  
Resolution No. 2018-08

A Resolution Awarding a Bid to Gough, Incorporated for the 45<sup>th</sup> Avenue and 5<sup>th</sup> Street Water Main Replacement Project -Phase 2 in the amount of ~~\$169,672.98~~ as the Lowest Responsive and Responsible Bid. A correction was made in the amount of \$169,672.98 to \$169,686.38. Director Dabrowski made a motion to approve. Director Smith seconded. Upon a roll call vote, there were four (4) affirmations and no negatives. The motion passed.

**WATERWORKS DISTRICT OF HIGHLAND  
BOARD OF WATERWORKS DIRECTORS  
RESOLUTION No. 2018-08**

**A RESOLUTION AWARDING A BID TO GOUGH, INCORPORATED FOR THE 45<sup>TH</sup> AVENUE AND 5<sup>TH</sup> STREET WATER MAIN REPLACEMENT PROJECT – PHASE 2 IN THE AMOUNT OF \$169,686.38 AS THE LOWEST RESPONSIVE AND RESPONSIBLE BID**

**Whereas**, the Waterworks District of Highland (District) is governed by its Board of Waterworks Directors, pursuant to the provisions of IC 8-1.5-4 et seq.; and

**Whereas**, IC 8-1.5-4-4 specifically provides that the Board of Directors shall manage and control all works of the waterworks and may purchase, acquire, construct, reconstruct, operate, repair and maintain all water works; and

**Whereas**, The Town of Highland, Board of Works, had determined to make certain improvements to the intersection of 45<sup>th</sup> Avenue and 5<sup>th</sup> Street and has implemented the 45<sup>th</sup> Avenue and 5<sup>th</sup> Street Intersection Project; and

**Whereas**, the District had heretofore determined a need to replace the existing water main on 5<sup>th</sup> Street from approximately 100 feet north of 45<sup>th</sup> Avenue to 98<sup>th</sup> Street and on 45<sup>th</sup> Avenue from approximately 250 feet west of 5<sup>th</sup> Street to approximately 250 feet east of 5<sup>th</sup> Street, due to its condition, in conjunction with the intersection improvement project and had engaged NIES Engineering, Incorporated to prepare plans and specifications for the water works improvements, to be known as 45<sup>th</sup> Avenue and 5<sup>th</sup> Street Water Main Replacement Project (Project); and

**Whereas**, Due to the construction schedule for the intersection project, the District found it necessary to construct the water works improvements in two phases with the work to be completed within the limits of the intersection project to be in the first phase and that those water works improvements outside the limits of the project to be included in phase 2; and

**Whereas**, Phase 1 of the water works improvements would be constructed in advance or concurrently with the intersection project in order to have those improvements completed before final paving of the intersection and minimize delay in the construction thereof; and Phase 2 of the water works improvements may be delayed, if necessary, and constructed after the completion of the intersection improvement project; and

**Whereas**, NIES Engineering, Inc. had prepared plans and specifications for both Phase 1 and Phase 2 of the Project on behalf of the Water Works District and Phase 2 of the Project was bid in accordance with IC 36-1-12 et seq. with notice being published in accordance with IC 5-3-1; and

**Whereas**, the following bids were received at 10:00 a.m. on April 26, 2018:

|                                   |              |
|-----------------------------------|--------------|
| Gatlin Plumbing and Heating, Inc. | \$206,620.00 |
| deBoer Egolf Corporation          | \$173,337.00 |
| Dyer Construction Co., Inc.       | \$213,823.68 |
| Rex Construction Co., Inc.        | \$179,622.00 |
| Gough, Inc.                       | \$169,686.38 |

**Engineer's Estimate** **\$161,837.77**

**Whereas**, NIES Engineering, Inc. has reviewed the bids and determined that the bid of **Gough, Incorporated in the amount of One Hundred Sixty-nine Thousand Six Hundred Eighty-six Dollars and 38/100 (\$169,686.38)** to be the lowest responsive and responsible bid.

**Whereas**, there are sufficient and available appropriations balances on hand to support the payments under the agreement, pursuant to IC 5-22-17-3(e); and

**Whereas**, The Water Works District of Highland, through its Board of Directors, now desires to accept the bid and award the Project to **Gough, Incorporated**.

**Now, Therefore Be it Resolved** by the Board of Directors of the Highland Waterworks, Lake County, Indiana, as follows:

1. That the Bid of **Gough, Incorporated**. in the amount of One Hundred Sixty-nine Thousand Six Hundred Eighty-six Dollars and 38/100 (\$169,686.38) for the 45<sup>th</sup> Avenue and 5<sup>th</sup> Street Water Main Replacement Project – Phase 2 hereby accepted as the lowest responsive and responsible bid.
2. That the Water Works District Superintendent is authorized to execute the agreement and all documents necessary to implement the Project.

**Duly Adopted, Resolved and Ordered** by the Waterworks Board of Directors of Highland, Lake County, Indiana, this 26<sup>rd</sup> day of April, 2018. Having been passed by a vote of 4 in favor and 0 opposed.

**HIGHLAND WATERWORKS  
By Its Board of Directors:**

/s/George Georgeff, President

Attest

/s/George A. Smith. Secretary

6. Highland Waterworks Board of Highland  
Board of Directors  
Capital Budget Resolution No. 2018-09

A Resolution Amending the 2018 Capital Project Budget of the Waterworks to be Paid from its Waterworks Improvement Fund. Director Kondrat made a motion to approve. Director Smith seconded. Upon a roll call vote, there were four (4) affirmations and no negatives. The motion passed.

**Water Works District of Highland  
Board of Directors  
Capital Budget Resolution No. 2018-09**

**A RESOLUTION AMENDING THE 2018 CAPITAL PROJECT BUDGET OF THE WATERWORKS TO BE PAID FROM ITS WATERWORKS  
IMPROVEMENT FUND**

**Whereas**, The Highland Waterworks is governed by its Board of Directors, pursuant to the provisions of IC 8-1.5-4 et seq.; and

**Whereas**, IC 8-1.5-4-4 specifically provides that the Board of Directors shall manage and control all works of the waterworks and may purchase, acquire, construct, reconstruct, operate, repair and maintain all water works; and

**Whereas**, The Board of Directors in performing its duties, may adopt resolutions, rules and by-laws that are necessary to carry out the provisions of IC 8-1.5-4 et seq. including repealing or amending them consistent with the Waterworks Law; and

**Whereas,** The Board of Directors in performing its duties, now determines that passage and adoption of a Capital Budget Resolution establishing a Capital Budget to be paid from funds of the Waterworks to be necessary for the sound management and control of the waterworks and performing its duty to construct, reconstruct, repair, and maintain all water works.

**Now, Therefore Be it Resolved** by the Board of Directors of the Highland Waterworks, Lake County, Indiana, as follows:

**Section 1.** That for the Capital expenses as hereinafter identified of said Waterworks, the following allowances for the identified sums of money are hereby fixed and ordered set apart for the purposes herein specified to be paid from Waterworks Improvement Fund:

|  |                   |
|--|-------------------|
| 5 <sup>th</sup> Street Water Main Project (CE)   | \$27,000.00       |
| 5 <sup>th</sup> Street Water Main Project – Phase 1 (CN)   | \$116,838.00      |
| 5 <sup>th</sup> Street Water Main Project – Phase 2 (CN)   | \$169,687.00      |
| Wicker Park Dr/Robertson Pl/Walnut Dr Water Main Replacement Project (CE)                              | \$50,400.00       |
| Wicker Park Dr/Robertson Pl/Walnut Dr Water Main Replacement Project (CN)                              | \$466,584.50      |
| Valve Installation – 45 <sup>th</sup> Avenue and 5 <sup>th</sup> Street Water Main Replacement Project | \$25,000.00       |
| <u>Hydrants/Valves/Fittings</u>  | <u>\$9,211.00</u> |
| Total  | \$864,720.50      |

**Section 2.** That the Municipal Fiscal Officer is instructed and authorized to assign such accounts and establish such financial reporting methodology as to permit the regular review of the Capital expenses herein identified as compared to the budgeted amounts and to otherwise carry out the objects and purposes of this resolution;

**Section 3.** That the Superintendent of the Waterworks is instructed and authorized to prepare accounts payable for projects identified herein in such a manner as to support and permit the regular review of the Capital expenses herein identified as compared to the budgeted amounts and to otherwise carry out the objects and purposes of this resolution;

**Section 4.** That there shall be no capital expenditure for the identified projects in excess of the amounts fixed by this resolution without express action by the Board of Directors, revising the amount fixed and authorizing the additional allowance amount;

**Section 5.** That this Resolution shall be effective immediately upon its passage and adoption by the Board of Directors and may be amended or repealed by subsequent resolution duly passed and adopted.

**Duly Adopted,** Resolved and Ordered by the Waterworks Board of Directors of Highland, Lake County, Indiana, this 26<sup>th</sup> day of April 2018. Having been passed by a vote of 4 in favor and 0 opposed.

HIGHLAND WATERWORKS  
BY ITS BOARD OF DIRECTORS:

/s/George Georgeff, President

Attest:

/s/George A. Smith, Secretary

**New Business:** An Action to appoint a Recording Secretary for the Waterworks Board. Director Smith moved to appoint Kim Webb as Recording Secretary. Director Dabrowski seconded. On a vote *viva voce*, the motion passed.

**Reports:**

1. Waterworks Superintendent – No Report
2. Waterworks Attorney - No Report
3. Waterworks Engineer - No Report
4. Fire Department – No Report

5. Operations Director – Mr. Knesek reported on the Water Shut-off program.

**Business from the Floor:** NONE

**Claims:**

Per the docket in the amount of:

|     |                      |               |
|-----|----------------------|---------------|
| 062 | Consumer Deposits    | \$225.56      |
| 064 | Waterworks Operating | \$171,798.24  |
| 066 | Water Improvements   | \$9,186.93    |
| 068 | <u>Water Capital</u> | <u>\$0.00</u> |
|     | Total                | \$181,210.73  |

Director Smith moved to approve the claims per the April 26, 2018 docket in the amount of \$181,210.73. Director Dabrowski seconded. On a vote *viva voce*, the motion passed.

**Next Meeting:**

The next Public Meeting will be held on Thursday, May 24, 2018 at 7:00 p.m. following a regular study session at 6:30 p.m at the Town Hall.

**ADJOURNMENT:** With no other business to come before the Board of Waterworks Directors, Director Smith moved to adjourn. President Georgeff seconded. On a vote *viva voce*, the motion passed.

Meeting Adjourned at 7:37 p.m.

Respectfully Submitted,

Kim Webb, Recording Secretary